

**REMARKS**

Claims 1-7 are all the claims pending in the present application. Applicant thanks the Examiner for withdrawing the previous prior art rejections. However, the Examiner adds new references to support the claim rejections. Specifically, claims 1 and 3-7 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Young et al. (U.S. Patent No. 6,990,116) in view of Benveniste (U.S. Patent Appln. Pub. No. 2004/0002357). Claim 2 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Young et al in view of Benveniste, and further in view of Ekl et al. (U.S. Patent No. 6,898,414).

Applicant traverses these rejections at least based on the following reasons.

**§103(a) Rejections (Young / Benveniste) - Claims 1 and 3-7**

Claims 1 and 3-7 are rejected based on the reasons set forth on pages 2-5 of the present Office Action.

A brief description of Young is set forth in the Response submitted on July 24, 2007.

Benveniste is directed to a method for addressing the problem of uplink capture, which arises in a multiple-cell wireless LAN using directional antennas. The use of directional antennas may adversely impact the performance of channel access protocols. CSMA-type MAC protocols provide dynamic bandwidth allocation in a distributed manner, eliminating idle time intervals. With such protocols, time-overlapped uplink transmissions by stations illuminated by different beams cooperate to capture the channel for long time periods. Without special measures, an imbalance could arise in the opportunity for the AP to access the channel, which could result in downlink delay and jitter and overall capacity loss. According to Benveniste, the uplink capture problem is mitigated by requiring all (non-AP) stations to release the channel at pre-specified times. *See Abstract of Benveniste.*

With respect to independent claim 1, Applicant previously argued, *inter alia*, that Young does not disclose or suggest at least, “if a result of the verification indicates that data remains in the queue, transmitting the data remaining in the queue of the PC before entering a contention mode,” as recited in claim 1. *See page 2 of Response dated December 4, 2007.*

The Examiner now acknowledges that Young does not satisfy the above quoted feature, however the Examiner believes that Benveniste makes up for this deficiency in Young.

In response, Applicant submits that even if, *arguendo*, Benveniste discusses transmitting data that is left in a queue, nowhere does Benveniste transmitting data that is left in a queue before entering a contention mode, as described in claim 1.

Further, Applicant submits that combining the technologies of the two references would not produce an invention that satisfies the present invention. That is, the Examiner picks and chooses technologically different portions of the cited references in an effort to satisfy the specific feature set forth in claim 1. For example, paragraph [0050] of Benveniste, which was cited to allegedly satisfy the above-quoted feature of claim 1, discusses Global Channel Release, where both an access point and client stations release channels at predetermined times. According to Applicant’s understanding, there is no discussion of Global Channel Release in Young, and there is no clear indication of how this technology would be implemented in Young, to arrive at the claimed invention.

Therefore, at least based on the foregoing, Applicant submits that one of ordinary skill in the art would not have combined the technical features of Young with Benveniste, to arrive at the claimed invention as recited in claim 1.

§103(a) Rejections (Young/Benveniste/Ekl) - Claim 2

First, Applicant submits that claim 2 is patentable at least by virtue of its dependency from independent claim 1. Ekl does not make up for the deficiencies of the other applied references.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

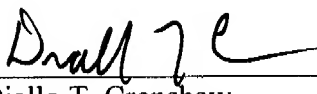
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**23373**

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